

2003 DRAFTING REQUEST**Bill**Received: **12/10/2003**Received By: **rchampag**Wanted: **Soon**

Identical to LRB:

For: **Employment Relations Dept.**By/Representing: **Susan Crawford**This file may be shown to any legislator: **NO**Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - civil service**
Employ Pub - employee benefits

Extra Copies:

Submit via email: **YES**Requester's email: **susan.crawford@oser.state.wi.us**Carbon copy (CC:) to: **paul.ostrowski@oser.state.wi.us****Pre Topic:**

No specific pre topic given

Topic:

State employee travel; earned annual leave under state civil service; supplemental credits for purchase of state employee health insurance

Instructions:

Combine 03-3543/ 03-3544/ 03-3545

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rchampag 12/10/2003	kfollett 12/10/2003					State
/1			pgreensl 12/11/2003		sbasford 12/11/2003	sbasford 12/19/2003 sbasford	

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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12/19/2003
sbasford
12/19/2003
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FE Sent For: 12/19/2003.

<END>

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/1			pgreensl 12/11/2003	_____	sbasford 12/11/2003		

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FE Sent For:

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Page 1

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/?	rchampag	11/10 12/10	12/11 PG	12/11 12/11			

FE Sent For:

<END>

Champagne, Rick

From: Crawford, Susan - OSER
Sent: Wednesday, December 10, 2003 12:20 PM
To: Champagne, Rick
Cc: Ostrowski, Paul
Subject: JCOER bills

Rick,

Here are the LRB draft numbers that we will probably be asking you to consolidate into one companion bill for JCOER.

- LRB-3543/2 (sabbatical/personal day)
- LRB-3544/2 (SHICC)
- LRB-3545/3 (travel/moving)
- Military Leave differential pay (not drafted yet)

Attached is a proposed draft that Paul developed for the comp plan alternative to the military leave benefit. As I indicated when we talked this morning, we have not yet decided which approach to use for the military leave benefit. It will either be the approach used in the attached, or reintroduction of AB 418 for JCOER.

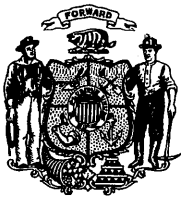
Paul, I notified Rick that I will be out Thursday and Friday and that he should send any new drafts to you instead of me. Rick also will be out this Friday afternoon. I hope we can finalize these two requests (consolidated bill & military leave) before the end of business today. Sorry this is so last minute, Rick.

Susan

Susan Crawford
Executive Assistant
Office of State Employment Relations
(608)266-9820
fax (608)267-1014



JCOER Letter
Attachment G - mi...



State of Wisconsin
2003-2004 LEGISLATURE

LRB-3545/3

RAC:kjf:jf

FRI AM

2003 BILL

LRB-3857/1

RAC:kjf

- regn. cat.

1 AN ACT *to renumber* 20.916 (9) (a) 1.; *to amend* 16.53 (1) (cm), 20.916 (1), 20.916
2 (1m), 20.916 (4) (title), 20.916 (4) (a), 20.916 (4) (b), 20.916 (4) (c), 20.916 (4) (d),
3 20.916 (4) (e), 20.916 (4m) (title), 20.916 (4m) (b), 20.916 (5) (title), 20.916 (5)
4 (a), 20.916 (5) (b), 20.916 (7), 20.916 (8) (a), 20.916 (9) (b), 20.916 (9) (c), 20.916
5 (9) (e), 20.916 (9) (f) 2., 20.916 (9) (f) 3., 20.917 (1) (a), 20.917 (1) (b), 20.917 (1)
6 (c), 20.917 (1) (d), 20.917 (1) (e), 20.917 (2) (a), 20.917 (2) (b), 20.917 (2m) and
7 20.917 (3) (a) 3.; *to repeal and recreate* 20.916 (9) (d); and *to create* 20.916
8 (9) (a) 1d. of the statutes; **relating to:** state employee travel and expense
9 reimbursement.

Analysis by the Legislative Reference Bureau

This bill makes minor and technical revisions to statutes governing state employee travel expenses and reimbursements. Among the many changes are the following:

1. The bill eliminates a \$50 cap on the amount of moneys that a state agency may advance a state employee for travel expenses and, instead, provides that any travel expense advance may not exceed 80 percent of the estimated expense.

2. The bill makes consistent the requirement that a state employee may receive payment only for actual, reasonable, and necessary travel expenses.

BILL

3. The bill provides that the director of the Office of State Employment Relations must set, *at least* biennially, certain reimbursement rates for state employees' use of privately owned automobiles or aircraft for state business. Currently, these rates must be set every two years. The effect of this change is to permit the director to set the reimbursement rates at any time, or at numerous times, provided the rates are set at least every two years.

4. The bill requires that any state employee who uses his or her privately owned airplane for state business must adhere to any license and insurance requirements prescribed by the Department of Administration.

5. The bill clarifies that all travel by train for state business shall be by coach, but only if coach is available.

6. The bill provides for direct payment of authorized moving expenses for state employees instead of reimbursement. This change will permit the state to pay the moving expenses directly instead of reimbursing the state employee for his or her payment of the moving expenses.

7. The bill eliminates a \$600 cap for certain stipends for state employees for moving preparation and, instead, provides that this cap is to be established in the state compensation plan.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.53 (1) (cm) of the statutes is amended to read:

2 16.53 (1) (cm) *Advancement of travel expenses.* The head of a state agency may,
3 ~~by presenting proper vouchers to the department of administration,~~ advance money
4 for travel expenses to employees. ~~Travel expenses shall be advanced only when the~~
5 ~~estimated expense is expected to exceed \$50 and the~~ Any travel advance shall not
6 exceed 80% of the estimated expense.

7 **SECTION 2.** 20.916 (1) of the statutes is amended to read:

8 20.916 (1) **EMPLOYEES TO BE REIMBURSED.** State officers and employees shall be
9 reimbursed for actual, reasonable, and necessary traveling expenses incurred in the
10 discharge of their duties in accordance with sub. (9). The officers and employees of
11 any state agency shall, when for reasons of economy or efficiency they are stationed

BILL

1 at any other place than an official location of such state agency, receive their actual,
2 reasonable, and necessary traveling and other expenses when called to such official
3 location for temporary service.

4 **SECTION 3.** 20.916 (1m) of the statutes is amended to read:

5 20.916 (1m) REIMBURSEMENT OF VOLUNTEERS. Except where reimbursement is
6 required by law, an individual who volunteers his or her services to a state agency
7 may, at the discretion of the appointing authority of the state agency receiving the
8 services, be reimbursed by the state agency for actual, reasonable, and necessary
9 travel expenses incurred in the performance of the services. Reimbursement shall
10 not exceed the maximum amounts established for state officers and employees under
11 sub. (8).

12 **SECTION 4.** 20.916 (4) (title) of the statutes is amended to read:

13 20.916 (4) (title) USE OF ~~PRIVATE~~ PRIVATELY OWNED AUTOMOBILES.

14 **SECTION 5.** 20.916 (4) (a) of the statutes, as affected by 2003 Wisconsin Act 33,
15 is amended to read:

16 20.916 (4) (a) If any state agency determines that the duties of any employee
17 require the use of an automobile, it may authorize such employee to use a ~~personal~~
18 privately owned automobile in the employee's work for the state, and reimburse the
19 employee for such use at a rate ~~which is set~~ at least biennially by the office of state
20 employment relations under sub. (8), subject to the approval of the joint committee
21 on employment relations.

22 **SECTION 6.** 20.916 (4) (b) of the statutes is amended to read:

23 20.916 (4) (b) Upon recommendation of the head of the state agency and
24 approval by the secretary of administration, an additional reimbursement at the rate
25 of one cent per mile may be paid to any employee for the use of the employee's

BILL

1 ~~personal~~ privately owned automobile when used as an emergency vehicle or under
2 conditions ~~which~~ that may cause excessive wear or depreciation, including pulling
3 trailers or ~~which~~ under conditions that require the installation of special equipment.

4 **SECTION 7.** 20.916 (4) (c) of the statutes is amended to read:

5 20.916 (4) (c) For travel between points ~~convenient to be~~ that are conveniently
6 reached by railroad, bus, or commercial airplane without unreasonable loss of time,
7 the allowance for the use of a ~~personal~~ privately owned automobile shall not exceed
8 the lowest cost of the most practical means of public transportation between such
9 points. The department of administration shall ~~give due consideration to the~~
10 ~~circumstances on each case when determining~~ establish guidelines for the most
11 practical means of public transportation. The cost of meals and lodging paid by the
12 state and the cost of the use of a state-owned automobile not chargeable to an
13 employee may not exceed the cost ~~which~~ that would have been incurred had the most
14 practical form of public transportation been used, at the most appropriate time, if a
15 practical form of public transportation is available.

16 **SECTION 8.** 20.916 (4) (d) of the statutes is amended to read:

17 20.916 (4) (d) All allowances for the use of a ~~personal~~ privately owned
18 automobile shall be paid upon the certification of the amounts payable by the head
19 of the state agency to the department of administration.

20 **SECTION 9.** 20.916 (4) (e) of the statutes is amended to read:

21 20.916 (4) (e) When an assigned or pool state-owned automobile is available
22 and tendered to an employee, and the employee exercises the option to ~~utilize~~ use the
23 employee's ~~personal~~ privately owned automobile on state business, the mileage
24 allowance shall be at a rate equal to the approximate cost per mile of operation of

BILL

1 state automobiles, including depreciation, as determined by the secretary of
2 administration.

3 **SECTION 10.** 20.916 (4m) (title) of the statutes is amended to read:

4 20.916 (4m) (title) USE OF ~~PRIVATE~~ PRIVATELY OWNED MOTORCYCLES.

5 **SECTION 11.** 20.916 (4m) (b) of the statutes, as affected by 2003 Wisconsin Act
6 33, is amended to read:

7 20.916 (4m) (b) Except as otherwise provided in this paragraph, if any state
8 agency determines that an employee's duties require the use of a motor vehicle, and
9 use of a ~~personal~~ privately owned motor vehicle is authorized by the agency under
10 similar circumstances, the agency shall authorize the employee to use a ~~personal~~
11 privately owned motorcycle for the employee's duties and shall reimburse the
12 employee for the use of the motorcycle at rates determined at least biennially by the
13 director of the office of state employment relations under sub. (8), subject to the
14 approval of the joint committee on employment relations. No state agency may
15 authorize an employee to use or reimburse an employee for the use of a ~~personal~~
16 privately owned motorcycle under this paragraph if more than one individual is
17 transported on the motorcycle. All allowances for the use of a motorcycle shall be
18 paid upon approval and certification of the amounts payable by the head of the state
19 agency for which the employee performs duties to the department of administration.

20 **SECTION 12.** 20.916 (5) (title) of the statutes is amended to read:

21 20.916 (5) (title) USE OF ~~PRIVATE AIRPLANES~~ PRIVATELY OWNED AIRCRAFT.

22 **SECTION 13.** 20.916 (5) (a) of the statutes, as affected by 2003 Wisconsin Act 33,
23 is amended to read:

24 20.916 (5) (a) ~~Whenever any state agency determines that the duties of any~~
25 ~~member or employee require the use of an airplane, it~~ If the use of a privately owned

BILL**SECTION 13**

1 or chartered aircraft is more efficient and economical for the conduct of state
2 business than commercial transportation, the head of a state agency may authorize
3 ~~him or her~~ an employee to charter ~~such airplane~~ an aircraft with or without a pilot;
4 and it may authorize any member or employee to use ~~his or her personal airplane~~ a
5 privately owned aircraft and reimburse ~~him or her~~ the member or employee for such
6 use of a privately owned aircraft at a rate set at least biennially by the office of state
7 employment relations under sub. (8), subject to the approval of the joint committee
8 on employment relations. ~~Such reimbursement shall be made upon the certification~~
9 ~~of the amount by the head of the state agency to the department of administration.~~

10 **SECTION 14.** 20.916 (5) (b) of the statutes is amended to read:

11 20.916 (5) (b) The head of the state agency whose members or employees are
12 authorized to use their own airplanes aircraft in their work for the state shall file
13 ~~with~~ ensure that employees adhere to any license and insurance requirements
14 prescribed by the department of administration ~~a list of all persons so authorized~~
15 ~~and the airplanes so to be used with a statement of the passenger capacity of each~~
16 ~~such airplane.~~

17 **SECTION 15.** 20.916 (7) of the statutes is amended to read:

18 20.916 (7) PERSONAL USE OF STATE VEHICLES AND AIRCRAFT. With the approval of
19 the secretary of administration, a state officer or employee may use a state-owned
20 motor vehicle or state-owned aircraft for personal use. An officer or employee shall
21 reimburse the state for personal use of a state-owned motor vehicle at the same
22 reimbursement rate provided an employee by the state for the use of his or her
23 ~~personal~~ privately owned automobile on state business as approved in the schedule
24 under sub. (8). An officer or employee shall reimburse the state for personal use of

BILL

1 a state-owned aircraft at a rate determined by the secretary of administration ~~which~~
2 that covers all costs associated with the operation of the aircraft.

3 **SECTION 16.** 20.916 (8) (a) ✓ of the statutes, as affected by 2003 Wisconsin Act 33,
4 is amended to read:

5 20.916 (8) (a) The director of the office of state employment relations shall
6 recommend to the joint committee on employment relations uniform travel schedule
7 amounts for travel by state officers and employees whose compensation is
8 established under s. 20.923 or 230.12. Such amounts shall include maximum
9 permitted amounts for meal and lodging costs, ~~special allowance expenses~~ other
10 allowable travel expenses under sub. (9) (d), and portage tips, except as authorized
11 under s. 16.53 (12) (c). In lieu of the maximum permitted amounts for expenses
12 under sub. (9) (b), (c), and (d), the secretary may recommend to the committee a per
13 diem amount and method of reimbursement for any or all expenses under sub. (9) (b),
14 (c), and (d).

15 **SECTION 17.** 20.916 (9) (a) ✓ 1. of the statutes is renumbered 20.916 (9) (a) 1m.

16 **SECTION 18.** 20.916 (9) (a) ✓ 1d. of the statutes is created to read:

17 20.916 (9) (a) 1d. "Appointing authority" has the meaning given in s. 230.03 (4).

18 **SECTION 19.** 20.916 (9) (b) ✓ of the statutes is amended to read:

19 20.916 (9) (b) *Lodging.* ~~All~~ Subject to the limitations under sub. (8) and s. 16.53
20 (12) (c), all reimbursement claims for lodging must be accompanied by a receipt.

21 **SECTION 20.** 20.916 (9) (c) ✓ of the statutes is amended to read:

22 20.916 (9) (c) *Meals.* Subject to the ~~limitation prescribed in~~ limitations under
23 sub. (8) and s. 16.53 (12) (c), employees shall be reimbursed for all reasonable
24 amounts expended for their own meals incurred in the performance of their official
25 duties. Receipts for meals are not required except for ~~any unusual~~ claims in excess

BILL**SECTION 20**

1 of the maximum amount, which must be accompanied by a receipt and full
2 explanation of the reasonableness of such expense.

3 **SECTION 21.** 20.916 (9) (d) ✓ of the statutes is repealed and recreated to read:

4 20.916 (9) (d) *Other allowable travel expenses.* Employees shall be reimbursed
5 for actual, reasonable, and necessary expenses, including specifically laundry,
6 telephone, facsimile, portage, and tips, when traveling on state business, but not
7 to exceed any limitations or maximums established by the director of the office of
8 state employment relations under sub. (8) and s. 16.53 (12) (c).

9 **SECTION 22.** 20.916 (9) (e) ✓ of the statutes is amended to read:

10 20.916 (9) (e) *Expenses in an employee's headquarters city, village, or town.*
11 Employees who are headquartered in a city, village, or town in which the expense
12 occurs shall be reimbursed for their actual, reasonable, and necessary expenses
13 incurred in the discharge of official duties only on the approval of the head of the
14 employee's agency appointing authority of the state agency at which the employee
15 is employed. This does not apply to travel between an employee's residence and the
16 city, village, or town in which the employee is headquartered, which shall not be
17 reimbursable.

18 **SECTION 23.** 20.916 (9) (f) 2. ✓ of the statutes is amended to read:

19 20.916 (9) (f) 2. 'Train.' Travel by train shall be limited to coach, if available,
20 unless overnight, where accommodations should be limited to roomette.

21 **SECTION 24.** 20.916 (9) (f) 3. ✓ of the statutes is amended to read:

22 20.916 (9) (f) 3. 'Reimbursement.' All Receipt limits for all claims for
23 reimbursement of transportation expense, ~~except for taxicabs and airport~~
24 ~~limousines, must be accompanied by a receipt~~ shall be established by the director of
25 the office of state employment relations in the compensation plan under s. 230.12.

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1 **SECTION 25.** 20.917 (1) (a) of the statutes is amended to read:

2 20.917 (1) (a) Whenever an employee currently employed in a position in the
3 civil service, other than on a limited term basis, is ordered to relocate or is promoted
4 to a different position in the civil service and the new place of employment requires
5 in the judgment of the new appointing authority at the new place of employment, or
6 in the judgment of the appointing authority in an intra-agency relocation or
7 promotion, a change in location of residence, the appointing authority shall
8 authorize ~~the employee to be reimbursed for the~~ payment of the employee's actual
9 and necessary expense of transporting the employee and the immediate members of
10 the employee's family to the new place of residence and for the transportation of the
11 employee's household effects to the new place of residence.

12 **SECTION 26.** 20.917 (1) (b) of the statutes is amended to read:

13 20.917 (1) (b) ~~Reimbursement~~ Payment under this section for an employee who
14 relocates as a result of transfer or demotion made at the employee's request is at the
15 discretion of the new appointing authority, or in an intra-agency transfer or
16 demotion at the employee's request, at the discretion of the appointing authority of
17 the state agency ~~by~~ at which the employee is employed.

18 **SECTION 27.** 20.917 (1) (c) of the statutes, as affected by 2003 Wisconsin Act 33,
19 is amended to read:

20 20.917 (1) (c) ~~Reimbursement~~ Payment for moving expenses may be granted
21 to a person reporting to his or her first place of employment or reporting upon
22 reemployment after leaving the civil service, if ~~reimbursement~~ payment is
23 recommended by the appointing authority and approved in writing by the director
24 of the office of state employment relations prior to the time when the move is made.

25 **SECTION 28.** 20.917 (1) (d) of the statutes is amended to read:

BILL**SECTION 28**

1 20.917 (1) (d) ~~Reimbursement~~ Payment may not be granted if the distance
2 between the old and new residences of the employee is less than a minimum distance
3 established ~~for reimbursement of moving expenses in the compensation plan under~~
4 ~~s. 230.12 (1) by the director of the office of state employment relations for payment~~
5 of moving expenses.

6 **SECTION 29.** 20.917 (1) (e) of the statutes is amended to read:

7 20.917 (1) (e) In addition to other costs payable under this subsection, an
8 employee who is eligible for ~~reimbursement~~ payment of moving expenses under par.
9 (a) shall be paid a stipend ~~of \$600~~ in an amount established in the compensation plan
10 under s. 230.12 for preparation of household effects incident to moving and other
11 moving expenses not otherwise reimbursable under this section. An employee who
12 is eligible for ~~reimbursement~~ payment under par. (b) may, at the discretion of the
13 appointing authority, be paid a stipend of not more than \$600 the amount established
14 in the compensation plan under s. 230.12 for preparation of household effects
15 incident to moving and other moving expenses not otherwise reimbursable under
16 this section. An appointee who receives ~~reimbursement~~ a payment under par. (c)
17 may, at the discretion of the appointing authority, be paid a stipend of not more than
18 \$600 the amount established in the compensation plan under s. 230.12 for
19 preparation of household effects incident to moving and other moving expenses not
20 otherwise reimbursable under this section.

21 **SECTION 30.** 20.917 (2) (a) of the statutes, as affected by 2003 Wisconsin Act 33,
22 is amended to read:

23 20.917 (2) (a) The director of the office of state employment relations shall
24 ~~recommend~~ may establish a maximum dollar amount ~~which may be permitted for~~
25 ~~reimbursement~~ for payment of any employee moving costs under sub. (1) (a) to (c);

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1 ~~subject to the limitations prescribed in par. (b).~~ This amount shall be submitted for
2 the approval of the joint committee on employment relations in the manner provided
3 in s. 20.916 (8), and upon approval shall become a part of the compensation plan
4 under s. 230.12 (1).

5 **SECTION 31.** 20.917 (2) (b) of the statutes is amended to read:

6 20.917 (2) (b) ~~The amount of reimbursement for moving household effects~~
7 ~~interstate may not exceed the maximum amount as set forth in the rate tables of the~~
8 ~~major household goods tariff publishing bureaus, as determined by the department~~
9 ~~of administration. The amount of reimbursement for moving household effects~~
10 ~~intrastate may not exceed the maximum amount established by the department of~~
11 ~~administration for the weight of goods moved and the distance involved. In any~~
12 ~~instance, the amount of reimbursement for moving household effects may not exceed~~
13 ~~the amount required to move household effects with a weight of 15,000 pounds at the~~
14 ~~maximum rates for transporting household effects established by the department of~~
15 ~~administration. The amount of reimbursement for transporting the employee and~~
16 ~~his or her immediate family to the new place of residence may not exceed the cost of~~
17 ~~automobile travel at the rate determined under s. 20.916 (4).~~

18 **SECTION 32.** 20.917 (2m) of the statutes is amended to read:

19 20.917 (2m) An individual who is living outside the contiguous 48 states and
20 the District of Columbia and who incurs travel moving and transportation expenses
21 for the purpose of reporting to his or her first place of employment or reporting upon
22 reemployment after leaving the civil service to a location within the contiguous 48
23 states or District of Columbia may be reimbursed paid for actual, necessary and
24 reasonable expenses incurred, if the reimbursement is recommended and approved
25 in the manner prescribed in sub. (1) (c). ~~In no case may the reimbursement~~ Any such

BILL**SECTION 32**

1 ~~payment may not~~ exceed the maximum ~~reimbursement rate~~ amounts available for
2 an individual who incurs such expenses upon appointment to a position in the federal
3 government, as prescribed by applicable federal regulation. The ~~reimbursement~~
4 ~~payable payments~~ under this subsection is are in lieu of the ~~reimbursement~~ those
5 otherwise payable under subs. (1) and (2).

6 **SECTION 33.** 20.917 (3) (a) 3. of the statutes is amended to read:

7 20.917 (3) (a) 3. Claims for lodging ~~allowance payments~~ allowances shall be
8 approved and paid in the same manner as travel expenses.

9

(END)

Insert

(A)

(B)

(C)

(D)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3857/linsRC
RAC:.....

Insert 1-9:

no ff ; supplemental credits for the purchase of health insurance for dependents of state employees who die while employed by the state and state employees who are laid off and their surviving insured dependents; and use of earned annual leave under the state civil service system and granting an additional paid personal holiday for nonrepresented state employees

Insert Analysis:

This bill is introduced under s. 230.12, stats., which requires that it be put on the calendar. The bill accomplishes certain statutory changes necessary to implement the nonrepresented state employee compensation plan, as modified and approved by the joint committee on employment relations. The bill does all of the following:

Health insurance premium credits

Current law requires the Department of Employee Trust Funds to administer a program that provides health insurance premium credits for the purchase of health insurance by state employees who are retired under the Wisconsin Retirement System (WRS) or who have attained 20 years of creditable service under the WRS and have terminated state employment. The program is also available for the surviving dependents of these individuals, provided they are insured at the time of the individual's death. This bill provides that this program is available to the surviving insured dependents of any state employee who dies while employed by the state and to state employees who are laid off and their surviving insured dependents.

Earned annual leave

Under current law, nonrepresented state employees who are entitled to receive either 200 hours or 216 hours of paid annual leave may elect to receive not more than 80 of those hours among the following options: 1) an amount not to exceed 40 hours in cash; 2) as credit for termination leave; or 3) as accumulated sabbatical leave. (Represented state employees may receive this benefit only if so provided in their collective bargaining agreements.) This bill provides that nonrepresented state employees who are entitled to receive 216 hours of paid annual leave may elect to receive not more than 120 of those hours among the aforementioned options.

State employee travel and expense reimbursement

end Insert 1-9

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- 2 -
A

1 ~~SECTION 1.~~ 40.05 (4) (by) 1. of the statutes is amended to read:

2 40.05 (4) (by) 1. Employers shall pay contributions that are sufficient to pay
3 for the present value of the present and future benefits authorized under subch. IX
4 for all employees eligible to receive the benefits under that subchapter, other than
5 state employees who are eligible to receive the benefits as a result of layoff. Except
6 as provided in subd. 2., the board shall annually determine the contribution rate
7 upon certification by the actuary of the department. The contribution rates
8 determined under this paragraph shall become effective on January 1 of the calendar
9 year in which they are applicable and shall remain in effect during that year.

10 ~~SECTION 2.~~ 40.95 (1) (a) (intro.) of the statutes, as affected by 2003 Wisconsin
11 Act 33, is amended to read:

12 40.95 (1) (a) (intro.) Subject to sub. (2), the department shall administer a
13 program that provides health insurance premium credits for the purchase of health
14 insurance for a retired employee, or the retired employee's surviving insured
15 dependents, ~~and;~~ for an eligible employee under s. 40.02 (25) (b) 6e., or the eligible
16 employee's surviving insured dependents; for an employee who is laid off, but who
17 is not on a temporary, school year, seasonal, or sessional layoff, and his or her
18 surviving insured dependents; and for the surviving insured dependents of an
19 employee who dies while employed by the state, for the benefit of an eligible employee
20 whose compensation includes such health insurance premium credits and who
21 satisfies at least one of the following:

22 ~~SECTION 3.~~ 40.95 (2) of the statutes is amended to read:

23 40.95 (2) The department is not required to administer any program that
24 provides health insurance premium credits for the purchase of health insurance for
25 a retired employee or the retired employee's surviving insured dependents; for an

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1 eligible employee under s. 40.02 (25) (b) 6e., or the eligible employee's surviving
2 insured dependents; for an employee who is laid off, but who is not on a temporary,
3 school year, seasonal, or sessional layoff, and his or her surviving insured
4 dependents; and for the surviving insured dependents of an employee who dies while
5 employed by the state, if the department determines that the program does not
6 conform to the program approved by the joint committee on employment relations
7 under s. 230.12 (9).

8 **SECTION 4.** ~~230.12~~ 230.12 (9) of the statutes, as affected by 2003 Wisconsin Act 33, is
9 amended to read:

10 230.12 (9) HEALTH INSURANCE PREMIUM CREDITS. The director may recommend
11 to the joint committee on employment relations a program, administered by the
12 department of employee trust funds, that provides health insurance premium
13 credits to employees whose compensation is established under this section or s.
14 20.923 (2) or (3). The health insurance premium credits shall be used for the
15 purchase of health insurance for a retired employee, or the retired employee's
16 surviving insured dependents, ~~and;~~ for an eligible employee under s. 40.02 (25) (b)
17 6e., or the eligible employee's surviving insured dependents; for an employee who is
18 laid off, but who is not on a temporary, school year, seasonal, or sessional layoff, and
19 his or her surviving insured dependents; and for the surviving insured dependents
20 of an employee who dies while employed by the state, and shall be based on the
21 employee's years of continuous service, accumulated unused sick leave and any other
22 factor recommended by the director. Credits granted under the program to an
23 employee who is laid off shall be available until the credits are exhausted, the
24 employee is reemployed by the state, or 5 years have elapsed from the date of layoff,
25 whichever occurs first. The approval process for the program is the same as that

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1 provided under sub. (3) (b) and the program shall be incorporated into the
2 compensation plan under sub. (1).

SECTION 5. Initial applicability.

3
4 (1) ^{The} ~~This law~~ first applies to the provision of health insurance premium credits
5 under subchapter IX of chapter 40 of the statutes for surviving insured dependents
6 of a state employee who dies on the effective date of this subsection and for state
7 employees who are laid off on the effective date of this subsection.

8 (END)

(C) treatment of sections 40.05(4) (by) 1.,
40.95(1) (a) ^(intro.) and (2), and 230.12(a) of
the statutes

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For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 230.35 (1p) (b) (intro.) of the statutes is amended to read:

230.35 **(1p)** (b) (intro.) Employees at the 200-hour ~~or 216-hour~~ rate under sub. (1) or (1m) may, in the year earned, elect to receive not more than 80 of those hours of earned annual leave among one or more of these options:

SECTION 2, 230.35 (1p) (bm) of the statutes is created to read:

230.35 **(1p)** (bm) Employees at the 216-hour rate under sub. (1) or (1m) may, in the year earned, elect to receive not more than 120 of those hours of earned annual leave among one or more of these options:

1. Not to exceed 40 hours in cash.
2. As credit for termination leave.
3. As accumulated sabbatical leave.

SECTION 3. 230.35 (4) (d) (intro.) of the statutes is amended to read:

230.35 (4) (d) (intro.) In addition to the holidays granted under par. (c), all employees except limited term employees shall earn 3.5 paid personal holidays each calendar year, plus one additional paid personal holiday each calendar year in recognition of Veterans Day. Eligibility to take the personal holidays during the year earned is subject to the following:

SECTION 4. Effective date.

(1) This act takes effect on January 1, 2004.

(END)

7. or the day after ^{whichever} publication, ^{whichever} is later

Barman, Mike

From: Annen, Kathy
Sent: Friday, December 19, 2003 9:57
To: Barman, Mike
Subject: Jacketings JCOER Bills
Hi, Mike.

These are the drafts that were approved for introduction by the JCOER yesterday. I will stop by later, but I wanted to let you the LRB numbers for the following companion bills:

- WPDA: LRB-3696/1 (Assembly); LRB-3915/1 (Senate)
- WPEC: LRB-3684/1 (Assembly); LRB-3914/1 (Senate)
- ASP: LRB-3683/1 (Assembly); LRB-3913/1 (Senate)
- Trades: LRB-3678/1 (Assembly); LRB-3911/1 (Senate)
- MGAA: LRB-3679/1 (Assembly); LRB-3912/1 (Senate)
- CP Mods: LRB-3857/1 (Assembly); LRB-3910/1 (Senate)

Please let me know if you need paper copies of these. Thanks very much!

Kathy

Jacket All
Of The Above
Drafts & send them
All to Kathy Annen
@ Leg. Council

Per RAC
12-19-03